



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,049	02/06/2002	Youn-Ho Kuk	1168-4	1187

7590 06/24/2003

Paul J. Farrell, Esq.  
DIL WORTH & BARRESE, LLP  
333 Earle Ovington Blvd.  
Uniondale, NY 11553

EXAMINER
----------

DERRINGTON, JAMES H

ART UNIT	PAPER NUMBER
1731	

DATE MAILED: 06/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/072,049	KUK ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	James Derrington	1731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-5 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-5 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art as stated at page 3 of the specification alone or with Nakazawa et al (4,175,939).

As understood from applicant's disclosure, the systems and apparatus elements discussed at page 3 are known to the prior art. It is also noted that this disclosure appears under the heading "Description of the Prior Art". Applicant is requested to add the label "Prior Art" on each of Figs. 1 and 6.

The discussed prior system includes a draw tower, a preform feed unit, a furnace and a spinning nozzle. The draw tower is set on a support surface and fabricated by vertically assembling a plurality of units to have a predetermined height from the support surface. This plurality of units is construed to be a framework. A diameter gauge is installed below the spinning nozzle and measures the diameter of the optical fiber discharged from the nozzle. A coating unit is installed at the lower portion of the draw tower. This system is discussed at page 3 of the specification, lines 1-20 & Fig 1.

An additional prior art system is discussed at page 3, lines 21-31 as shown in Fig. 6. where a dual system is set forth. Each draw tower has a spinning chamber as well as a cooling chamber. That is, a plurality of main support frames are vertically set up to form a square structure. A plurality of sub-support frames are alternately

connected to the main support frames in a horizontal direction or in a diagonal direction, thus completing a main frame. The main frame is partitioned into a spinning chamber and a cooling chamber by a central partition frame. A blower having a filter as well as a duct, is installed on the cooling chamber. A central frame is provided between the two tower frames in order to support them.

Although, the above discussed disclosure of the dual system states that two draw towers are set forth, it is noted that a central frame is also between the two towers. The examiner takes the position that the instantly claimed dual system in a tower does not patentably differ over the towers set forth by the prior art dual system since these prior towers are connected by a central frame. The current claim language does not distinguish the instant invention over the prior art as discussed. It would have been obvious to provide the prior dual system with additional the additional claimed features of preform feed units, furnaces, spinning nozzles, diameter gauges and coating units as discussed at the top of page 3 for their art recognized purposes.

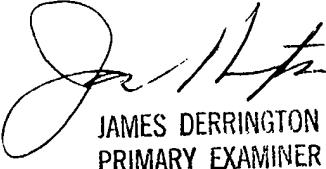
The claimed language does not distinguish the claims in terms of structural differences over the prior art discussed above. Additionally, the advantage of size as discussed at page 4 is not definitively set forth nor is it clear how a difference in size can be claimed in the absence of structural differences. Additionally, the prior art in many fields of technology is well aware of providing a plurality of processing systems to increase productivity. As evidence of this prior art, the Nakazawa et al is cited as disclosing that the productivity of glass fiber manufacture can be increased by providing a plurality of apparatus elements(See Col. 1, line34 ff). Thus there is incentive,

motivation and reason to combine the teachings of the two prior art systems discussed at page 3 of the instant specification.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Derrington whose telephone number is 703 308-3832. The examiner can normally be reached on 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 703 308-1164. The fax phone numbers for the organization where this application or proceeding is assigned are 703 305-7718 for regular communications and 703 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 0661.



JAMES DERRINGTON  
PRIMARY EXAMINER  
ART UNIT 137/1731

jd  
June 20, 2003